

## HB 2308 – WHAT YOU NEED TO KNOW

### What?

**HB 2308**, created by the 2017 Legislature, gives OSH “aid and assist” patients (sometimes called “.370,” referencing ORS 161.370) credit for time in jail, *except* for those who are charged with aggravated murder or a crime listed in ORS 137.700(2) (listed below).

### When?

HB 2308 takes effect January 1, 2018.

### Who will get credit for time in jail?

Patients *not charged with a crime that has a mandatory minimum sentence* will get credit for every day they spent in jail – even if they were charged before January 1, 2018.

### Who will not get credit for time in jail?

Patients charged with one of these minimum-sentence crimes under ORS 137.700(2) will *not* get credit for time in jail:

- |   |   |
|---|---|
| (A) Aggravated Murder                                 | (M) Sodomy in the first degree                              |
| (B) Murder  | (N) Sodomy in the second degree                             |
| (C) Attempt or conspiracy to commit aggravated murder | (O) Unlawful sexual penetration in the first degree         |
| (D) Attempt or conspiracy to commit murder            | (P) Unlawful sexual penetration in the second degree        |
| (E) Manslaughter in the first degree                  | (Q) Sexual abuse in the first degree                        |
| (F) Manslaughter in the second degree                 | (R) Robbery in the first degree                             |
| (G) Assault in the first degree                       | (S) Robbery in the second degree                            |
| (H) Assault in the second degree                      | (T) Arson in the first degree                               |
| (I) Kidnapping in the first degree                    | (U) Using a child in a display of sexually explicit conduct |
| (J) Kidnapping in the second degree                   | (V) Compelling prostitution                                 |
| (K) Rape in the first degree                          | (W) Aggravated vehicular homicide                           |
| (L) Rape in the second degree                         |   |

### How will this change be implemented?

For those patients whose end-of-jurisdiction dates will be affected by the new law, the OSH Admissions Office will notify each patient and their treatment team, as well as the court, their attorney, and the district attorney, about the change.

### Questions?

If you have any questions, please contact OSH Legal Affairs at 503-756-7889.